



Appl. No. 10/700,326

**PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183**

Appl. No. : 10/700,326  
Applicant : SANFORD D. DAMASCO, ET AL.  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183**

Sir/Madam:

Petitioner hereby requests a waiver of certain requirements under 37 C.F.R. 1.48. Under the provisions of Rule 48 statements are required from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part. Additionally, oaths or declarations (37 C.F.R. 1.63) by the actual inventors are also required.

The undersigned has made significant efforts to obtain the signatures of Jawahar M. Ali and David J. Battles. These efforts are documented in the concurrently filed Petition Under 37 CFR 1.47. However, I have been unable to obtain their signatures. It is therefore respectfully requested that the requirements noted above under Rule 48 be waived.

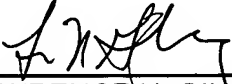
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attached hereto is the Petition fee set forth in 37 CFR 1.17(f).

Appl. No. 10/700,326

PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183

Respectfully submitted,



\_\_\_\_\_  
LAWRENCE N. GINSBERG,  
Attorney for Applicant, Reg. No. 30,943  
Telephone 949-450-5454



\_\_\_\_\_  
DATE

Appl. No. 10/700,326  
ADDENDUM TO TRANSMITTAL FORM



Appl. No. : 10/700,326  
Applicant : SANFORD D. DAMASCO, ET AL.  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
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**ADDENDUM TO TRANSMITTAL FORM**

1. TRANSMITTAL FORM
2. CREDIT CARD PAYMENT FORM

(a) REQUEST FOR CONTINUED EXAMINATION - (1.17e)	\$ 405.00
(b) PETITION UNDER 37.C.F.R. 1.47(a) - (1.17g)	200.00
(c) REQUEST UNDER 37 C.F.R. 1.48(a) - (1.17i)	130.00
(d) PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183 - (1.17f)	400.00
(e) PETITION UNDER 37 C.F.R. 1.313 - (1.17h)	130.00
TOTAL	\$ 1,265.00
3. REQUEST FOR CONTINUED EXAMINATION (RCE)
4. PETITION UNDER 37.C.F.R. 1.47(a)

**Exhibit A**

1. Letter to Clement K. Wong
2. Declaration
3. Power of Attorney
4. Assignment
5. Rule 48 Declaration
6. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
7. Amendment dated 4/30/2007.
8. Information Disclosure Statement.
9. Patent No. 6,643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE."
10. Domestic Return Receipt

**Exhibit B**

1. Letter to Jawahar M. Ali
2. Declaration
3. Power of Attorney
4. Assignment

5. Rule 48 Declaration
6. Domestic Return Receipt

**Exhibit C**

1. Letter to Jawahar M. Ali
2. Declaration
3. Power of Attorney
4. Assignment
5. Rule 48 Declaration

**Exhibit D**

1. Letter to David J. Battles
2. Declaration
3. Power of Attorney
4. Assignment
5. Rule 48 Declaration

**5. REQUEST UNDER 37 C.F.R. 1.48(a)**

**Attachments:**

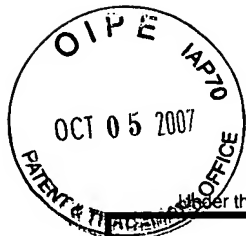
1. Statement Under Rule 48 executed by Paul W. Mikus;
2. Statement Under Rule 48 executed by Jay J. Eum;
3. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Sanford D. Damasco;
4. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Thach Duong and Jay J. Eum;
5. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Paul W. Mikus;
6. Assignee Consent in Support of Request for Correction of Inventorship Under Rule 48;
7. Assignment executed by Sanford D. Damasco;
8. Assignment executed by Thach Duong and Jay J. Eum;
9. Assignment executed by Paul W. Mikus.

**6. PETITION FOR SUSPENSION OF RULES UNDER 37 C.F.R. 1.183**

**7. PETITION UNDER 37 C.F.R. 1.313**

**8. POWER OF ATTORNEY OF PAUL W. MIKUS**

**9. POWER OF ATTORNEY OF JAY J. EUM**



PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/700,326
	Filing Date	Nov 3, 2003
	First Named Inventor	SANFORD D. DAMASCO
	Art Unit	3737
Total Number of Pages in This Submission	Examiner Name	KHOLDEBARIN, IMAN K
	Attorney Docket Number	ENDO108-C1-CP2CP

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>PLEASE SEE ADDENDUM.</b>
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	ENDOCARE, INC.		
Signature			
Printed name	LAWRENCE N. GINSBERG		
Date	10/5/07	Reg. No.	30943

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	LAWRENCE N. GINSBERG	Date	10/5/07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED



September 26, 2007

**EXHIBIT B  
ITEM 1**

Jawahar M. Ali  
26541 Rancho Park  
Lake Forest, CA 92630

**Re: Our Reference No.: ENDO108-C1-CP2-CP**  
**Title: COMPUTER GUIDED ABLATION OF TISSUE USING**  
**INTEGRATED ABLATIVE/TEMPERATURE SENSING**  
**DEVICES**

**Application No.: 10/700,326**  
**Date Filed: 11/3/2003**

**Inventors (as corrected: SANFORD D. DAMASCO; THACH DUONG, JAWAHAR M. ALI; DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM**

**Action: TO CORRECT A CONTINUATION IN PART PATENT APPLICATION TO REFLECT FURTHER INVENTORS**

Dear Jawahar,

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

1. Declaration
2. Power of Attorney
3. Assignment
4. Rule 48 Declaration

We have also attached copies of the following documents for your reference:

1. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES.**"
2. Amendment dated 4/30/2007.
3. Information Disclosure Statement.
4. Patent No. 6,643,535 entitled "**SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE.**"

Page Two  
September 26, 2007  
Our Reference No. ENDO108-C1-CP2-CP  
Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filed. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,



Lawrence N. Ginsberg  
Intellectual Property Counsel

Telephone: 949.450-5454  
E-Mail: LGinsberg@endocare.com

# EXHIBIT B ITEM 2

PTO/SB/01 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032  
J.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted With Initial Filing <b>OR</b> <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	ENDO108-C1-CP2-CP
	<b>First Named Inventor</b>	SANFORD D. DAMASCO
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	10/700,326
	<b>Filing Date</b>	11/3/2003
	<b>Art Unit</b>	3737
	<b>Examiner Name</b>	KHOLDEBARIN, IMAN K

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES***(Title of the Invention)*

the specification of which

☐

is attached hereto

**OR**☒

was filed on (MM/DD/YYYY)

**11/03/2003**

as United States Application Number or PCT International

Application Number

**10/700,326**

and was amended on (MM/DD/YYYY)

**04/30/2007**

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## DECLARATION – Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	<b>33746</b>	OR	<input type="checkbox"/> Correspondence address below
Name					
Address					
City		State		ZIP	
Country		Telephone <b>(949) 450-5454</b>		Email <b>LGinsberg@endocare.com</b>	
<p style="text-align: center;"><b>WARNING:</b></p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
<b>NAME OF SOLE OR FIRST INVENTOR:</b>			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <b>SANFORD D.</b>			Family Name or Surname <b>DAMASCO</b>		
Inventor's Signature				Date	
Residence: City <b>Irvine</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>		
Mailing Address <b>22 Rincon</b>					
City <b>Irvine</b>	State <b>CA</b>	Zip <b>92620</b>	Country <b>US</b>		
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the ____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.					

**DECLARATION****ADDITIONAL INVENTOR(S)**

Supplemental Sheet

Page 3 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature		Date	
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>2037 Cherokee</b> Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature		Date	
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
<b>26541 Rancho Park</b> Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature		Date	
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>P.O. Box 1559</b> Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page 4 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>PAUL W.</b>		<b>MIKUS</b>	
Inventor's Signature		Date	
Residence: City <b>Trabuco Canyon</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
31 Pegasus Drive Mailing Address			
City <b>Trabuco Canyon</b>	State <b>CA</b>	Zip <b>92679</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAY J.</b>		<b>EUM</b>	
Inventor's Signature		Date	
Residence: City <b>Irvine</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
124 Spring Valley Mailing Address			
City <b>Irvine</b>	State <b>CA</b>	Zip <b>92602</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**EXHIBIT B**  
**ITEM 3**

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/700,326
	<b>Filing Date</b>	11/3/2003
	<b>First Named Inventor</b>	SANFORD D. DAMASCO
	<b>Title</b>	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
	<b>Art Unit</b>	3737
	<b>Examiner Name</b>	KHOLDEBARIN, IMAN K
	<b>Attorney Docket Number</b>	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:



Practitioners associated with the Customer Number:

**33746**

OR



Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

The address associated with the above-mentioned Customer Number: **33746**

OR



The address associated with Customer Number:

OR

Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:



Applicant/Inventor

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	
Name	<b>JAWAHAR M. ALI</b>	Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**EXHIBIT B  
ITEM 4**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, **Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum** (hereinafter "Assignor") have invented certain new and useful improvements in

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**THACH DUONG**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAY J. EUM**

**EXHIBIT B  
ITEM 5**

Appl. No. 10/700,326  
Statement Under Rule 48

Appl. No. : 10/700,326  
Applicant : DAMASCO ET AL  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER RULE 48**

Sir/Madam:

I, **JAWAHAR M. ALI** hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

---

**JAWAHAR M. ALI**  
**Applicant/Inventor**  
26541 Rancho Park  
Lake Forest, CA 92630

---

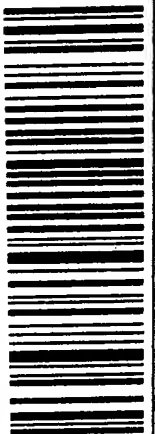
Date

# EXHIBIT B ITEM 6



201 Technology Drive  
Irvine, California 92618

7007 0220 0000 8038 0782



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jawahar M. Ahluwalia  
26544 Rancho Park  
Lake Forest, CA 92630

2. Article Number

(Transfer from service label)

7007 0220 0000 8038 0782

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

NO SUCH STREET  
RETURN RECEIPT  
REQUESTED

Jawahar M. Ahluwalia  
26544 Rancho Park  
Lake Forest, CA 92630



OCT 1 2007



VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED



October 1, 2007

**EXHIBIT C  
ITEM 1**

Jawahar M. Ali  
26541 Rancho Parkway S.  
Lake Forest, CA 92630

**Re: Our Reference No.:** ENDO108-C1-CP2-CP  
**Title:** COMPUTER GUIDED ABLATION OF TISSUE USING  
INTEGRATED ABLATIVE/TEMPERATURE SENSING  
DEVICES  
**Application No.:** 10/700,326  
**Date Filed:** 11/3/2003  
**Inventors (as  
corrected):** SANFORD D. DAMASCO; THACH DUONG, JAWAHAR M.  
ALI; DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM  
**Action:** TO CORRECT A CONTINUATION IN PART PATENT  
APPLICATION TO REFLECT FURTHER INVENTORS

Dear Jawahar,

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

1. Declaration
2. Power of Attorney
3. Assignment
4. Rule 48 Declaration

We have also attached copies of the following documents for your reference:

1. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES.**"
2. Amendment dated 4/30/2007.
3. Information Disclosure Statement.
4. Patent No. 6,643,535 entitled "**SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE.**"

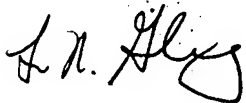
Page Two  
October 1, 2007  
Our Reference No. ENDO108-C1-CP2-CP  
Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filed. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,



Lawrence N. Ginsberg  
Intellectual Property Counsel

Telephone: 949.450-5454  
E-Mail: LGinsberg@endocare.com

# EXHIBIT C ITEM 2

PTO/SB/01 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted With Initial Filing <b>OR</b> <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	ENDO108-C1-CP2-CP
	First Named Inventor	SANFORD D. DAMASCO
	<b>COMPLETE IF KNOWN</b>	
	Application Number	10/700,326
	Filing Date	11/3/2003
	Art Unit	3737
	Examiner Name	KHOLDEBARIN, IMAN K

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**

(Title of the Invention)

the specification of which

☐ is attached hereto

**OR**

☒ was filed on (MM/DD/YYYY) **11/03/2003** as United States Application Number or PCT International

Application Number **10/700,326** and was amended on (MM/DD/YYYY) **04/30/2007** (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

### DECLARATION – Utility or Design Patent Application

Direct all correspondence to: ☒ The address associated with Customer Number: 33746 OR ☐ Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone  
(949) 450-5454

Email  
LGinsberg@endocare.com

#### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

**SANFORD D.**

Family Name or Surname

**DAMASCO**

Inventor's Signature

Date

Residence: City  
**Irvine**

State  
**CA**

Country  
**US**

Citizenship  
**US**

Mailing Address  
**22 Rincon**

City  
**Irvine**

State  
**CA**

Zip  
**92620**

Country  
**US**

☒ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>		<b>ADDITIONAL INVENTOR(S) Supplemental Sheet</b>	
		Page 3 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature		Date	
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
2037 Cherokee Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature		Date	
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
26541 Rancho Parkway S. Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature		Date	
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
P.O. Box 1559 Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page 4 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>PAUL W.</b>		<b>MIKUS</b>	
Inventor's Signature			Date
Residence: City <b>Trabuco Canyon</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>31 Pegasus Drive</b> Mailing Address			
City <b>Trabuco Canyon</b>	State <b>CA</b>	Zip <b>92679</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAY J.</b>		<b>EUM</b>	
Inventor's Signature			Date
Residence: City <b>Irvine</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>124 Spring Valley</b> Mailing Address			
City <b>Irvine</b>	State <b>CA</b>	Zip <b>92602</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

# EXHIBIT C ITEM 3

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
is a collection of information unless it displays a valid OMB control number.

Under the Paperwork

## POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒

Practitioners associated with the Customer Number:

**33746**

OR

☐

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒

The address associated with the above-mentioned Customer Number: **33746**

OR

☐

The address associated with Customer Number:

OR

☐

Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒

Applicant/Inventor

☐

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Signature		Date	
Name	JAWAHAR M. ALI	Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**EXHIBIT C  
ITEM 4**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum (hereinafter "Assignor") have invented certain new and useful improvements in

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**THACH DUONG**



**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAY J. EUM**

**EXHIBIT C  
ITEM 5**

Appl. No. 10/700,326  
Statement Under Rule 48

Appl. No. : 10/700,326  
Applicant : DAMASCO ET AL  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER RULE 48**

Sir/Madam:

I, **JAWAHAR M. ALI** hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

---

**JAWAHAR M. ALI**  
**Applicant/Inventor**  
26541 Rancho Parkway S.  
Lake Forest, CA 92630

---

Date

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED



September 11, 2007

**EXHIBIT D  
ITEM 1**

David J. Battles  
P.O. Box 1559  
Santa Barbara, CA 93102

**Re: Our Reference No.:** ENDO108-C1-CP2-CP  
**Title:** COMPUTER GUIDED ABLATION OF TISSUE USING  
INTEGRATED ABLATIVE/TEMPERATURE SENSING  
DEVICES  
**Application No.:** 10/700,326  
**Date Filed:** 11/3/2003  
**Inventors (as corrected):** SANFORD D. DAMASCO; THACH DUONG; JAWAHAR M.  
ALI; DAVID J. BATTLES; PAUL W. MIKUS and JAY J. EUM  
**Action:** TO CORRECT A CONTINUATION IN PART PATENT  
APPLICATION TO REFLECT FURTHER INVENTORS

Dear Dave,

Attached to this letter are several documents pertaining to the above identified continuation in part (CIP) patent application entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES" which was filed on 11/3/2003. This CIP case was filed listing only Sanford D. Damasco and Thach Duong as the co-inventors. However, we now believe that the inventorship was in error and desire to add Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors on this application. Your assistance is requested in correcting the inventorship relative to this case.

Please execute the attached papers where indicated:

1. Declaration
2. Power of Attorney
3. Assignment
4. Rule 48 Declaration

We have also attached copies of the following documents for your reference:

1. Continuation in part (CIP) patent application (Ser. No. 10/700,326) as filed on 11/3/2003 entitled "COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES."
2. Amendment dated 4/30/2007.
3. Information Disclosure Statement.
4. Patent No. 6,643,535 entitled "SYSTEM FOR PROVIDING COMPUTER GUIDED ABLATION OF TISSUE."

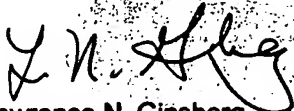
Page Two  
September 11, 2007  
Our Reference No. ENDO108-C1-CP2-CP  
Application No. 10/700,326

As further background, this continuation in part application stems from the 6,643,535 (a.k.a. Autofreeze®) issued patent (attached). The present CIP patent application claims the use of an integrated ablative/temperature sensing device as part of the Autofreeze® feedback system. This is described in detail in the CIP patent application. The documents for which we are requesting your signature will provide the basis for adding Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as co-inventors to this CIP.

As a reminder, the patent statutes impose a duty to disclose, to the Patent Office, information which is material to the examination of the Application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. Please let us know if there are any patents or publications, other than those disclosed in the enclosed Information Disclosure Statement, of any type, that might be considered to be material, and that we should therefore disclose to the Patent Office. Please note that the duty of disclosure set forth in the patent statutes is a continuing obligation, which remains even after the Application has been filed. Thus, please contact us if material information comes to your attention during the pendency of the case.

Thank you in advance for your cooperation. We note that time is of the essence relative to your signing of this paperwork because the CIP has been allowed and we have deferred issuance of the patent application to clear up these issues of inventorship. We therefore request your returning the signed paperwork within two (2) weeks of your receipt of these documents. Please let us know if you have any questions whatsoever.

Very truly yours,



Lawrence N. Ginsberg  
Intellectual Property Counsel

Telephone: 949.450-5454  
E-Mail: LGinsberg@endocare.com

# EXHIBIT D ITEM 2

PTO/SB/01 (06-07)

Approved for use through 06/30/2007. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted With Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	ENDO108-C1-CP2-CP
	<b>First Named Inventor</b>	SANFORD D. DAMASCO
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	10/700,326
	<b>Filing Date</b>	11/3/2003
	<b>Art Unit</b>	3737
	<b>Examiner Name</b>	KHOLDEBARIN, IMAN K

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **11/03/2003** as United States Application Number or PCT InternationalApplication Number **10/700,326** and was amended on (MM/DD/YYYY) **04/30/2007** (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## DECLARATION – Utility or Design Patent Application

Direct all  
correspondence to:

☒ The address  
associated with  
Customer Number:

**33746**

**OR** ☐ Correspondence  
address below

Name

Address

City

State

ZIP

Country

Telephone  
**(949) 450-5454**

Email  
**LGinsberg@endocare.com**

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

**SANFORD D.**

Family Name or Surname

**DAMASCO**

Inventor's Signature

Date

Residence: City  
**Irvine**

State  
**CA**

Country  
**US**

Citizenship  
**US**

Mailing Address  
**22 Rincon**

City  
**Irvine**

State  
**CA**

Zip  
**92620**

Country  
**US**

☒ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

**DECLARATION****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**

Page 3 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature			Date
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>2037 Cherokee</b> Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature			Date
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
<b>26541 Rancho Park</b> Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature			Date
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>P.O. Box 1559</b> Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**DECLARATION****ADDITIONAL INVENTOR(S)**

Supplemental Sheet

Page 4 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>PAUL W.</b>		<b>MIKUS</b>	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
<b>Trabuco Canyon</b>	<b>CA</b>	<b>US</b>	<b>US</b>
<b>31 Pegasus Drive</b>			
Mailing Address			
City	State	Zip	Country
<b>Trabuco Canyon</b>	<b>CA</b>	<b>92679</b>	<b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAY J.</b>		<b>EUM</b>	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
<b>Irvine</b>	<b>CA</b>	<b>US</b>	<b>US</b>
<b>124 Spring Valley</b>			
Mailing Address			
City	State	Zip	Country
<b>Irvine</b>	<b>CA</b>	<b>92602</b>	<b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



# EXHIBIT D ITEM 3

PTO/SB/81 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

to respond to a collection of information unless it displays a valid OMB control number.

Under:

## POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒

Practitioners associated with the Customer Number:

33746

OR

☐

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒

The address associated with the above-mentioned Customer Number: 33746

OR

☐

The address associated with Customer Number:

OR

☐Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒

Applicant/Inventor

☐Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Signature		Date
Name	DAVID J. BATTLES	Telephone
Title and Company		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐

\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**EXHIBIT D  
ITEM 4**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, **Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum** (hereinafter "Assignor") have invented certain new and useful improvements in

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**THACH DUONG**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAY J. EUM**

**EXHIBIT D  
ITEM 5**

Appl. No. 10/700,326  
Statement Under Rule 48

Appl. No. : 10/700,326  
Applicant : DAMASCO ET AL  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES  
  
TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K  
  
Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER RULE 48**

Sir/Madam:

I, **DAVID J. BATTLES** hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

---

**DAVID J. BATTLES**  
**Applicant/Inventor**  
P.O. Box 1559  
Santa Barbara, CA 93102

---

Date

Appl. No. 10/700,326  
REQUEST UNDER 37 C.F.R. 1.48(a)

Appl. No. : 10/700,326  
Applicant : SANFORD D. DAMASCO, ET AL.  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**REQUEST UNDER 37 C.F.R. 1.48(a)**

Sir/Madam:

It is respectfully requested that inventorship for the above identified continuation in part patent application be corrected to add the following inventors:

JAWAHAR A. ALI

DAVID J. BATTLES

PAUL W. MIKUS

JAY J. EUM

This request is being supported by the following attached documents:

1. Statement Under Rule 48 executed by Paul W. Mikus;
2. Statement Under Rule 48 executed by Jay J. Eum;
3. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Sanford D. Damasco;
4. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Thach Duong and Jay J. Eum;
5. Declaration for Filing Patent Application (37 C.F.R. 1.63) executed by Paul W. Mikus;
6. Assignee Consent in Support of Request for Correction of Inventorship Under Rule 48;
7. Assignment executed by Sanford D. Damasco;
8. Assignment executed by Thach Duong and Jay J. Eum;
9. Assignment executed by Paul W. Mikus.

Also submitted herewith is a Petition Under 37 C.F.R. 1.47(a) and its supporting documents.  
This error in inventorship occurred without deceptive intention on the part of the undersigned.


Attached hereto is the Petition fee set forth in 37 CFR 1.17(i).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



\_\_\_\_\_  
LAWRENCE N. GINSBERG,  
Attorney for Applicant, Reg. No. 30,943



\_\_\_\_\_  
DATE

Telephone 949-450-5454

Appl. No. 10/700,326  
Statement Under Rule 48

Appl. No. : 10/700,326  
Applicant : DAMASCO ET AL  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

#### STATEMENT UNDER RULE 48

Sir/Madam:

I, **PAUL W. MIKUS** hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
\_\_\_\_\_  
**PAUL W. MIKUS**  
Applicant/Inventor  
31 Pegasus Drive  
Trabuco Canyon, CA 92679

  
\_\_\_\_\_  
Date

Appl. No. 10/700,326  
Statement Under Rule 48

Appl. No. : 10/700,326  
Applicant : DAMASCO ET AL  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

#### STATEMENT UNDER RULE 48

Sir/Madam:

I, **JAY J. EUM** hereby declare that:

I was not listed as an inventor during the original filing of the above identified continuation in part patent application (Serial No. 10/700,326). This error in inventorship occurred without deceptive intention on my part.

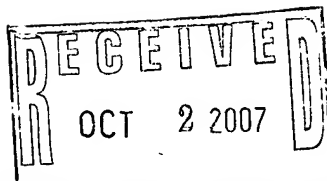
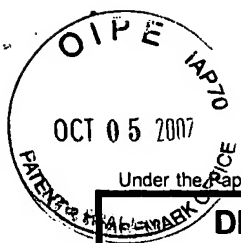
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

  
\_\_\_\_\_  
**JAY J. EUM**  
**Applicant/Inventor**  
124 Spring Valley  
Irvine, CA 92602

  
\_\_\_\_\_  
Date





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing  
OR  
☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	ENDO108-C1-CP2-CP
First Named Inventor	SANFORD D. DAMASCO
COMPLETE IF KNOWN	
Application Number	10/700,326
Filing Date	11/3/2003
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **11/03/2003** as United States Application Number or PCT International

Application Number **10/700,326** and was amended on (MM/DD/YYYY) **04/30/2007** (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION – Utility or Design Patent Application**Direct all  
correspondence to:The address  
associated with  
Customer Number:**33746**

OR

Correspondence  
address below

Name

Address

City

State

ZIP

Country

Telephone

**(949) 450-5454**

Email

**LGinsberg@endocare.com****WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

**SANFORD D.**

Family Name or Surname

**DAMASCO**

Inventor's Signature

Date

**9/26/07**

Residence: City

**Irvine**

State

**CA**

Country

**US**

Citizenship

**US**

Mailing Address

**22 Rincon**

City

**Irvine**

State

**CA**

Zip

**92620**

Country

**US**

Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page 3 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle[if any])		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature			Date
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>2037 Cherokee</b> Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature			Date
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
<b>26541 Rancho Park</b> Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature			Date
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>P.O. Box 1559</b> Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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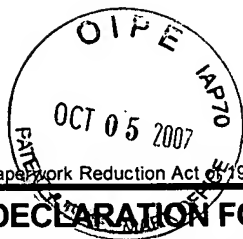
**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental Sheet

Page 4 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>PAUL W.</b>		<b>MIKUS</b>	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
<b>Trabuco Canyon</b>	<b>CA</b>	<b>US</b>	<b>US</b>
<b>31 Pegasus Drive</b> Mailing Address			
City	State	Zip	Country
<b>Trabuco Canyon</b>	<b>CA</b>	<b>92679</b>	<b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAY J.</b>		<b>EUM</b>	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
<b>Irvine</b>	<b>CA</b>	<b>US</b>	<b>US</b>
<b>124 Spring Valley</b> Mailing Address			
City	State	Zip	Country
<b>Irvine</b>	<b>CA</b>	<b>92602</b>	<b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket  
Number

ENDO108-C1-CP2-CP

First Named Inventor

SANFORD D. DAMASCO

COMPLETE IF KNOWN

Application Number

10/700,326

Filing Date

11/3/2003

Art Unit

3737

Examiner Name

KHOLDEBARIN, IMAN K

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

11/03/2003

as United States Application Number or PCT International

Application Number

10/700,326

and was amended on (MM/DD/YYYY)

04/30/2007

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## DECLARATION – Utility or Design Patent Application

Direct all  
correspondence to:

☒ The address  
associated with  
Customer Number:

**33746**

OR ☐ Correspondence  
address below

Name

Address

City

State

ZIP

Country

Telephone  
**(949) 450-5454**

Email  
**LGinsberg@endocare.com**

### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

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**NAME OF SOLE OR FIRST INVENTOR:**

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

**SANFORD D.**

Family Name or Surname

**DAMASCO**

Inventor's Signature

Date

Residence: City  
**Irvine**

State  
**CA**

Country  
**US**

Citizenship  
**US**

Mailing Address  
**22 Rincon**

City  
**Irvine**

State  
**CA**


Zip  
**92620**

Country  
**US**

☒ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page <u>3</u> of <u>4</u>	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle(if any))		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature 		Date <b>9-12-07</b>	
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>2037 Cherokee</b> Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature		Date	
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
<b>26541 Rancho Park</b> Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature		Date	
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>P.O. Box 1559</b> Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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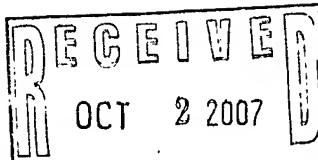
<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page 4 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>PAUL W.</b>		<b>MIKUS</b>	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Trabuco Canyon	CA	US	US
31 Pegasus Drive			
Mailing Address			
City	State	Zip	Country
Trabuco Canyon	CA	92679	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAY J.</b>		<b>EUM</b>	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Irvine	CA	US	US
124 Spring Valley			
Mailing Address			
City	State	Zip	Country
Irvine	CA	92602	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.





Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted With Initial Filing <b>OR</b> <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	<b>ENDO108-C1-CP2-CP</b>
	<b>First Named Inventor</b>	<b>SANFORD D. DAMASCO</b>
	<b>COMPLETE IF KNOWN</b>	
	<b>Application Number</b>	<b>10/700,326</b>
	<b>Filing Date</b>	<b>11/3/2003</b>
	<b>Art Unit</b>	<b>3737</b>
	<b>Examiner Name</b>	<b>KHOLDEBARIN, IMAN K</b>

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES**

(Title of the Invention)

the specification of which

☐

is attached hereto

**OR**☒

was filed on (MM/DD/YYYY)

**11/03/2003**

as United States Application Number or PCT International

Application Number

**10/700,326**

and was amended on (MM/DD/YYYY)

**04/30/2007**

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

### DECLARATION – Utility or Design Patent Application

Direct all  
correspondence to:

☒ The address  
associated with  
Customer Number:

**33746**

OR ☐ Correspondence  
address below

Name

Address

City

State

ZIP

Country

Telephone

**(949) 450-5454**

Email

**LGinsberg@endocare.com**

#### WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR:**

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

**SANFORD D.**

Family Name or Surname

**DAMASCO**

Inventor's Signature

Date

Residence: City

**Irvine**

State

**CA**

Country

**US**

Citizenship

**US**

Mailing Address

**22 Rincon**

City

**Irvine**

State

**CA**

Zip

**92620**

Country

**US**

☒ Additional inventors or a legal representative are being named on the \_\_\_\_\_ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet
Page 3 of 4	

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle[if any])		Family Name or Surname	
<b>THACH</b>		<b>DUONG</b>	
Inventor's Signature			Date
Residence: City <b>Tustin</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>2037 Cherokee</b> Mailing Address			
City <b>Tustin</b>	State <b>CA</b>	Zip <b>92782</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>JAWAHAR M.</b>		<b>ALI</b>	
Inventor's Signature			Date
Residence: City <b>Lake Forest</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>IN</b>
<b>26541 Rancho Park</b> Mailing Address			
City <b>Lake Forest</b>	State <b>CA</b>	Zip <b>92630</b>	Country <b>US</b>
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
<b>DAVID J.</b>		<b>BATTLES</b>	
Inventor's Signature			Date
Residence: City <b>Santa Barbara</b>	State <b>CA</b>	Country <b>US</b>	Citizenship <b>US</b>
<b>P.O. Box 1559</b> Mailing Address			
City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93102</b>	Country <b>CA</b>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**DECLARATION****ADDITIONAL INVENTOR(S)**  
Supplemental Sheet

Page 4 of 4

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
PAUL W.		MIKUS	
Inventor's Signature		Date 9/30/07	
Residence: City	State	Country	Citizenship
Trabuco Canyon	CA	US	US
31 Pegasus Drive			
Mailing Address			
City	State	Zip	Country
Trabuco Canyon	CA	92679	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
JAY J.		EUM	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Irvine	CA	US	US
124 Spring Valley			
Mailing Address			
City	State	Zip	Country
Irvine	CA	92602	US
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	Zip	Country

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Appl. No. 10/700,326

**ASSIGNEE CONSENT IN SUPPORT OF CORRECTION  
OF INVENTORSHIP UNDER RULE 48**

Appl. No. : 10/700,326  
Applicant : SANFORD D. DAMASCO, ET AL.  
Filed : 11/03/2003  
Title : COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED  
ABLATIVE/TEMPERATURE SENSING DEVICES

TC/A.U. : 3737  
Examiner : KHOLDEBARIN, IMAN K

Docket No. : ENDO108-C1-CP2CP  
Customer No. : 33746  
Confirm. No. : 5138

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**ASSIGNEE CONSENT IN SUPPORT OF REQUEST FOR CORRECTION  
OF INVENTORSHIP UNDER RULE 48**

Sir/Madam:

I, Clint Davis, hereby declare that:

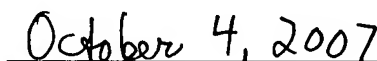
As an officer of Endocare, Inc. I hereby consent to the addition of Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum as listed inventors for the above identified continuation in part patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

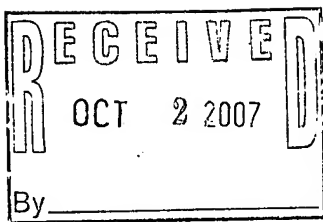
Respectfully submitted,



**CLINT DAVIS**  
Senior Vice President, Legal  
Affairs and General Counsel,  
Endocare, Inc.



Date



## ASSIGNMENT

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, **Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum** (hereinafter "Assignor") have invented certain new and useful improvements in

### **COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26 day of September, 2007.

  
\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**THACH DUONG**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAY J. EUM**

## ASSIGNMENT

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, **Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum** (hereinafter "Assignor") have invented certain new and useful improvements in

### **COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

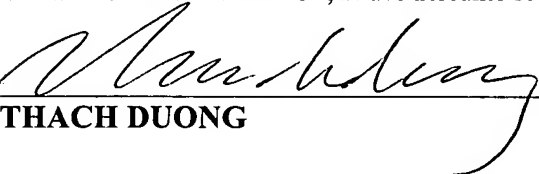
NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of September, 2007.

  
\_\_\_\_\_  
**THACH DUONG**



**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this 21st day of September, 2007.

\_\_\_\_\_  
**JAY J. EUM**

## ASSIGNMENT

**ENDO108-C1-CP2-CP**

Assignment Before Issue of Letters Patent

WHEREAS, **Sanford D. Damasco, Thach Duong, Jawahar M. Ali, David J. Battles, Paul W. Mikus and Jay J. Eum** (hereinafter "Assignor") have invented certain new and useful improvements in

### **COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES**

(hereinafter "invention") for which Assignor has made application for LETTERS PATENT OF THE UNITED STATES (Ser. No. 10/700,326 filed November 3, 2003), which application has been duly executed by Assignor on even date herewith.

AND WHEREAS, ENDOCARE, INC., a corporation organized and existing under the laws of the State of Delaware, U.S.A., having a place of business at **ENDOCARE, Inc., 201 Technology Drive, Irvine, CA 92618 U.S.A.** hereinafter called the Assignee, is desirous of acquiring the entire right, title and interest in and to said invention within the United States of America and its territorial possessions and all foreign countries and any United States or foreign LETTERS PATENT that may be granted therefore.

NOW, THIS INDENTURE WITNESSETH, that for good and valuable considerations, the receipt whereof is hereby acknowledged, Assignor has assigned, sold and transferred, and does hereby assign, sell and transfer to the said Assignee the entire right, title and interest in and to the said invention, within the United States of America and its territorial possessions and all foreign countries and in and to any LETTERS PATENT of the United States and foreign countries, including utility models, inventor's certificates and like government grants, and all divisions, reissues, continuations and extensions thereof that may be granted therefor, and the right to apply for LETTERS PATENT in foreign countries with full benefit of such priorities as may now or hereafter be granted to Assignor by local laws or by treaty, including any international convention, for the protection of industrial property, together with the right to extend the protection of said U.S. LETTERS PATENT to the various territorial possessions now owned or which may be hereafter acquired by the United States of America, all said rights to be held and enjoyed by the Assignee for its own use and benefit, and for the use and benefit of its successors or assigns, to the full end of the term for which said LETTERS PATENT may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made. And Assignor does hereby request and authorize the Commissioner of Patents and Trademarks, U.S.A., to issue said U.S. LETTERS PATENT, when granted, in accordance with this assignment.

Assignor further covenants and agrees with the Assignee that Assignor has a full and unencumbered title to the invention hereby assigned, which title Assignor warrants unto the Assignee, and Assignor further agrees that Assignor will, without demanding any further consideration therefor, at the request but at the expense of the Assignee, do all lawful and just acts, including the execution and acknowledgment of instruments, that may be or become necessary for obtaining, sustaining, extending, reissuing or reexamining United States and foreign LETTERS PATENT or the like for the said invention, and for maintaining and perfecting the Assignee's right to said invention, and for maintaining and perfecting the Assignee's right to said invention and LETTERS PATENT particularly in cases of interference, conflict, opposition and litigation.

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**SANFORD D. DAMASCO**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**THACH DUONG**

**ASSIGNMENT**

**ENDO108-C1-CP2-CP**

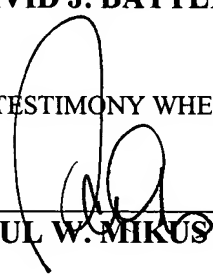
IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAWAHAR M. ALI**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**DAVID J. BATTLES**

IN TESTIMONY WHEREOF, I have hereunto set my hand this 18 day of September, 2007.

  
\_\_\_\_\_  
**PAUL W. MIKUS**

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
**JAY J. EUM**



**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/700,326
Filing Date	11/3/2003
First Named Inventor	SANFORD D. DAMASCO
Title	COMPUTER GUIDED ABLATION OF TISSUE USING INTEGRATED ABLATIVE/TEMPERATURE SENSING DEVICES
Art Unit	3737
Examiner Name	KHOLDEBARIN, IMAN K
Attorney Docket Number	ENDO108-C1-CP2-CP

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:



Practitioners associated with the Customer Number:

**33746**

OR



Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:



The address associated with the above-mentioned Customer Number: **33746**

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Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:



Applicant/Inventor



Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	9/18/07
Name	PAUL W. MIKUS	Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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OR

☐ The address associated with Customer Number:

OR

☐ Firm or  
Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒ Applicant/Inventor☐ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	9/2/2
Name	JAY/J. EUM	Telephone	
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

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